

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

JAMES E. TEMPLETON,  
JOSHUA K. DEEL,  
JAMES WESLEY CASH,  
MATTHEW JAMES HOSKINSON, and  
JAMES SCOTT ADKINS,,

Plaintiffs,

v.

CIVIL ACTION NO. 3:13-6442

RONALD B. CASTO, Director of  
the Western Regional Jail,  
MISTY BENNETT, Prime Care Medical  
Inc., BRADLEY BYRD, Aramark  
Food Service Director,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny the application of Plaintiff, James E. Templeton, to proceed *in forma paupers* (ECF No. 4), deny his letter motion for direction from the Court (ECF No. 3), deny Plaintiffs' Motion to Amend the Complaint to substitute Larry Crawford as a defendant in place of Ronald Casto (ECF No. 8), dismiss the complaint, with prejudice (ECF No. 1), and remove this matter from the docket of this Court. No party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** the application of Plaintiff, James E. Templeton, to proceed *in forma paupers* (ECF No. 4), **DENIES** his letter motion for direction from the Court (ECF No. 3), **DENIES** Plaintiffs' Motion to Amend the Complaint to substitute Larry Crawford as a defendant in place of Ronald Casto (ECF No. 8), **DISMISSES** the complaint, with prejudice (ECF No. 1), and removes this matter from the docket of this Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: September 26, 2013

  
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ROBERT C. CHAMBERS, CHIEF JUDGE